

E. NEAL GUNNARSON, #1273
CHARLENE BARLOW, #0212
Assistant Attorneys General
MARK L. SHURTLEFF, #4666
Utah Attorney General
5272 South College Drive, #200
Murray, Utah 84123
Telephone: (801) 281-1221
Facsimile: (801) 281-1224
Attorneys for Plaintiff

IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR

UTAH COUNTY, STATE OF UTAH

THE STATE OF UTAH,	:	
	:	
Plaintiff,	:	
	:	CRIMINAL INFORMATION
vs.	:	
	:	
RICHARD CULBERTSON,	:	Case No. _____
DOB: January 2, 1953	:	
	:	
KATHLEEN J. CULBERTSON,	:	Case No. _____
DOB: March 13, 1956	:	
	:	Judge _____
Defendants.	:	

The undersigned, Special Agent DOUG TOWNSEND, upon oath,
states on information and belief that defendants committed the
following crimes:

RICHARD CULBERTSON
COMMUNICATIONS FRAUD
a second degree felony, 3 counts

PATTERN OF UNLAWFUL ACTIVITY
a second degree felony, 1 count

KATHLEEN J. CULBERTSON
COMMUNICATIONS FRAUD
a second degree felony, 3 counts

PATTERN OF UNLAWFUL ACTIVITY
a second degree felony, 1 count

COUNT 1
COMMUNICATIONS FRAUD
a second degree felony
(Richard & Kathleen Culbertson)

Commencing on or about October 2006, in Utah County, State of Utah, and elsewhere, the defendants devised a scheme or artifice to defraud **Nathan Barnum (42 Pioneer Circle, Saratoga Springs, UT)**, or to obtain from him money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and they communicated directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, in violation of Utah Code Ann. § 76-10-1801 (1953 as amended). The total value of the property, money or thing obtained or sought to be obtained by the scheme or artifice was more than \$5,000.00, a second degree felony.

COUNT 2
COMMUNICATIONS FRAUD
a second degree felony
(Richard & Kathleen Culbertson)

Commencing on or about August 2006, in Utah County, State of

Utah, and elsewhere, the defendants devised a scheme or artifice to defraud **Ashley Barnum (2976 Cedar Pass Road, Eagle Mountain, UT)**, or to obtain from her money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and they communicated directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or artifice, in violation of Utah Code Ann. § 76-10-1801 (1953 as amended). The total value of the property, money or thing obtained or sought to be obtained by the scheme or artifice was more than \$5,000.00, a second degree felony.

COUNT 3
COMMUNICATIONS FRAUD
a second degree felony
(Richard & Kathleen Culbertson)

Commencing on or about July 2006, in Utah County, State of Utah, and elsewhere, the defendants devised a scheme or artifice to defraud **Ashley Barnum (3133 East Cedar Pass Road, Eagle Mountain, UT)**, or to obtain from her money, property, or anything of value by means of false or fraudulent pretenses, representations, promises, or material omissions, and they communicated directly or indirectly with any person by any means for the purpose of executing or concealing the scheme or

artifice, in violation of Utah Code Ann. § 76-10-1801 (1953 as amended). The total value of the property, money or thing obtained or sought to be obtained by the scheme or artifice was more than \$5,000.00, a second degree felony.

COUNT 4
PATTERN OF UNLAWFUL ACTIVITY
a second degree felony
(Richard and Kathleen Culbertson)

Commencing on or about July 2006, the defendants have engaged in conduct which constituted the commission of at least three episodes of unlawful activity as defined in Utah Code Ann. § 76-10-1601 (1995). The defendants: (1) received proceeds derived, directly or indirectly, from a pattern of unlawful activity as more fully defined above, in which they participated as a principal, or they used or invested, directly or indirectly, any part of that income, or the proceeds of the income, or the proceeds derived from the investment or use of those proceeds, in the acquisition of any interest in, or establishment or operation of, any enterprise; (2) through a pattern of unlawful activity acquired or maintained, directly or indirectly, any interest in or control of any enterprise; or (3) was employed by, or associated with any enterprise and conducted or participated, whether directly or indirectly, in the conduct of that enterprise's affairs through a pattern of unlawful activity.

The unlawful activity included three or more violations of communications fraud, forgery, theft. This is a violation of Utah Code Ann. §76-10-1601 and § 76-10-1603(5) (1995), et seq. a second degree felony.

DATED this ____ day of _____, 2008.

DOUG TOWNSEND, Affiant

SUBSCRIBED AND SWORN to before
me on this ____ day of _____,
2008.

JUDGE, Fourth District Court

This CRIMINAL INFORMATION is based upon evidence from the following witnesses:

1. Nathan Barnum
2. Ashley Barnum
3. Carlos Alamilla, Div. Of Real Estate
4. Kurtis Hughes, Div. Of Real Estate
5. Special Agent Leo Lucey, Utah Attorney General's Office
6. And Others

AUTHORIZED for presentment and filing this ____ day of _____, 2008.

MARK L. SHURTLEFF
Utah Attorney General

By: _____
E. NEAL GUNNARSON
Assistant Attorney General